Acquiring Technology: What Every Federal Employee Needs to Know about Section 508

Helen Chamberlain
GSA
Center for IT Accommod
Helen.Chamberlain@gsa
202-219-2348

Welcome!

- GSA is directed to provide technical assistance to assist in implementing Section 508.
- www.section508.gov

Introduction

Participant introductions:

- Name
- Agency/Organization
- What you do?

Introduction

Session Objectives:

- To understand how Section 508 impacts the procurement process
- To know how to incorporate Section 508 requirements into your procurement actions
- To provide you with tools and resources to help you conduct market research
- To provide guidance in preparing procurement documentation

Introduction

Section 508 of Rehabilitation Act

- Creates binding and enforceable provisions, incorporating these provisions into the Federal Acquisition Regulations.
- Section 508 technical provisions need to be used in all electronic and information technology (EIT) acquisitions.

Section 504 versus 508

504
• Accommodations • Assistive Technology

508
•Applications •Software •Internet/Intranet •Tools/Resources •Copiers/Fax Machine •Multimedia •Telecommunications •Other Technology

Introduction

Why is this important?

- Achieving legal compliance
  - Prevents protests
  - Minimize risk of complaints
- Supports Federal initiatives
  - President’s Management Agenda
  - New Freedom Initiative
- Eliminates barriers for people with disabilities
- Benefits everyone
  - Prepares for changing workforce
  - Facilitates wireless access

Introduction

- Have you attended other training or related conferences?
- Have you been involved in implementing Section 508 in your agency/organization?
- How many of you have read the FAR sections related to Section 508?
- How many of you have read the Section 508 Standards?

PART 1:

Procurement from the 508 Perspective

Objectives

- At the end of this section you will:
  - Know the role of the Requiring Official
  - Know the role of the contracting officer
  - Know sources of technical expertise
  - Understand where Section 508 impacts the procurement process

What is Procurement?

- Defined in FAR (FAR2.101; CFR Part 2) with reference to acquisition:
  - …the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through ***purchase and lease***, whether the supplies or services are already in existence or must be ***created, developed, demonstrated, and evaluated***.

Roles and Responsibilities

- Requiring Officials:
  - Identify requirements
  - Identify which Section 508 provisions apply to the specific acquisition
  - Conduct and document market research
  - Draft specifications and minimum requirements
  - Document exceptions that may apply
  - Ensure product or service meets ALL the requirements

Roles and Responsibilities
(continued)

- Contracting Officers:
  - Plan the acquisition along with the rest of the acquisition team.
  - Assist/coordinate with the Requiring Official to perform market research.
  - Assist/coordinate with the Requiring Official to draft specifications and minimum requirements/agency needs.
  - Ensure competition and complete contract files, as the FAR directs.
  - Award the contract or order after complying with procurement statutes and regulations.

Technical Expertise Within Your Agency

- The Chief Information Officer (CIO)
- Information Technology organization
- Agency 508 Coordinator
- Legal Counsel
- Multimedia/Audio-visual
- Telecommunications

Additional Technical Expertise Within Your Agency

- Users of Assistive Technology
- Disability Program Managers
- Equal Employment Opportunity Personnel
- Assistive Technology Centers

Impact of Section 508 on Procurement Process

Acquisition Planning →	Contract Formation →	Contract Administration
•Determine need ➢*Analyze requirement* ➢*Identify competition* ➢*Plan source selection* ➢*Develop solicitation terms and conditions*	•Solicit offers •Evaluate bid ➢*Evaluate proposal* •Award contract	➢*Initiate work* ➢*Quality assurance* ➢*Payment/Accounting* •Special Terms •Closeout/Termination

Contract Vehicles

- Section 508 applies to ALL contract vehicles and procurement actions.

PART 2:
Determining Requirements

Objectives

- At the end of this section you will:
  - Know to which procurement actions Section 508 applies
  - Be able to identify applicable Section 508 standards for procurement requirements
  - Know how to use completed requirements to effectively comply when completing the procurement

What is EIT?

- Includes information technology and any equipment or interconnected system or subsystem of equipment, that is used in the creation, conversion, or duplication of data or information.

- Applies to any equipment used by a Federal agency/employee or expected to be turned over to the agency upon completion of the contract

EIT Examples

- EIT includes
  - Telephones
  - Computers
  - Information Kiosks
  - Software
  - Transaction Machines
  - Firmware and Similar Products
  - Multimedia and Video (videos, CD, web)
  - Office Equipment (i.e., copiers and fax machines)
  - Websites (Internet and Intranet)
  - Ancillary Equipment
  - Services (including support services and maintenance)
  - Related Resources
- Information Documentation and Support (user guides, technical support)

What EIT Is Not

- EIT does NOT include any equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.

Identifying Requirements

- Determining the functional and technical requirements of the product/service being procured
- Identifying applicable Section 508 provisions
- Buy Accessible Wizard

Is your procurement exempt?

- Micro-Purchase (until October, 2004)
- National Security Systems
- Acquired by a Contractor Incidental to a Contract
- Back Room/Office
- Fundamental Alteration

What are the Section 508 Technical Standards that Apply?

- Software Applications and Operating Systems
- Web-based Internet Information and Applications
- Video and Multimedia Products
- Telecommunications Products
- Self-contained, Closed Products
- Desktop and Portable Computers
- Functional and Performance Criteria

PART 3:
Conducting Market Research

Objectives

- At the end of this section you will:
  - Understand different methods for conducting market research
  - Be able to list places where information for market research can be found
  - Be able to define Voluntary Product Accessibility Template (VPAT) and list its benefits
  - Know how to document market research results

What is Market Research?

- The act of collecting and analyzing information about capabilities within the marketplace to satisfy agency needs.

Why Conduct Market Research?

- FAR Requirement
- Used to gauge the state of the EIT industry in meeting your requirements with products and services.
- Method for identifying products that meet Section 508 requirements.

What Are You Buying?

- Product
  - Commercial off-the shelf (COTS)
  - IT Development or Customization
- Services
  - Integration
  - Training
  - Audio-visual/Multimedia
  - Help Desk
- Combination

Questions for Market Research

- How does the product/vendor meet:
  - Business requirements
  - Applicable Section 508 standards
    - Ability to meet deliverable schedule
    - Test approaches used by vendor to assure compliance
  - Cost of product

Questions for Market Research
(continued)

- What if you ask the questions and discover your 508 requirements cannot be met?
  - Equivalent Facilitation
  - Alternative means of providing access where deficient

Informal Market Survey Techniques

- Phone calls to federal or non-Federal experts
- Internet searches
  - Buy Accessible on www.section508.gov
- Review of similar procurements by other agencies
- Recent market surveys on similar or identical requirements
- Catalogs, product literature

Formal Market Survey Techniques

- Using a published vehicle, e.g., sources-sought announcements in the Federal Business Opportunities (FedBizOpps) or requests for information for planning purposes in appropriate technical or scientific journals or business publications
- Conducting interchange meetings or holding pre-solicitation conferences

Resources for Market Research and Requirements Determination

- Commercial Item Handbook
  http://www.acq.osd.mil/ar/doc/cihandbook.pdf
- Market Research Training Modules:
  http://www.acq-ref.navy.mil/tools/marketresearch/ index.html
- Federal Acquisition Institute
  www.faionline.com

Buy Accessible database on Section 508 web site

Site Layout Controls
Change Font
Verdana
Change Font Size
12px
Enter
Section 508
www.section508.gov
Buy Accessible | About 508 | 508 & You | 508 Training | 508 Coordinators | Accessibility Forum | FAQs | Events |
Search
Enter Search Words
Buy Accessible Products
Buy Accessible Services
Section 508 Website
Search
Clear
Additional Links
Advanced Search
Communications/Media
Resources & Links
AT Showcase
Contact Us
Buy Accessible - Government Purchasers
Welcome Government Purchasers! Buy Accessible is designed specifically for you to assist in meeting Section 508 requirements, specifically, performing market research on the accessibility of electronic and information technology products. There is no need for you to register, just follow the steps below to get started.
Under the FAR provision implementing Section 508 of the Rehabilitation Act, you as a requiring official, are required to perform the following tasks:
Identify which section(s) of the standards apply to the procurement per the Accessibility Standard (your procurement may fall in more than one category).
Perform market research to determine the availability of accessible products and services.
Document the results of your market research.
Buy Accessible is designed to be a one-stop shop for all these things.
How to use Buy Accessible to perform market research
To search for SPECIFIC products or services, enter the product name/service description in the search field (upper left hand side of each page on this site).
Select either "Buy Accessible Products" or the "Buy Accessible Services" option and click on the 'Search' button. For more hints on searching, go to: Search for Products and Service Providers.
Locate the product or service in the list of search returns.
Buy Accessible Vendor Login
Username
Enter Username
Password
Login
Forgot Password?
Register For Buy Accessible
Check Vendor Status
Printer Friendly

What is a VPAT?

- Information on how a product or service conforms to the Section 508 Access Board standards.
- Completed by the vendor.
- Optionally, posted on their vendor site and linked to Buy Accessible.
- Vendors are not required to complete a VPAT.

Using the VPAT

- Enables government requestors to compare products.
- Conducting Buy Accessible searches
  - Identify and review sections of the VPAT that apply.
- Outside of Buy Accessible, a VPAT can be:
  - Requested as part of market research, procurement, RFP, etc.
  - Requested in a procurement (becomes mandatory).

Using the VPAT
(continued)

- Best practices and a VPAT template: www.itic.org
- Reference Tab I and J – Good and Bad VPAT Examples

Benefits of VPATs

- Uniform tool for identifying features meeting Section 508 standards.
- Supports making preliminary assessments regarding availability of commercial EIT products and services.

Documenting Results

- You must document the results of your market research
  - Examples at www.section508.gov
  - Tab K: Market Research Documentation
- Documentation becomes part of contracting file
- Include in the market research documentation copies of any VPATs used

PART 4:
Developing the Solicitation

Objectives

- At the end of this section you will:
  - Know where in your procurement to include Section 508 requirements
  - Know how to identify applicable exceptions
  - Understand how Section 508 affects evaluation and award

Commercial Non-Availability

- If no item meets customer requirements and technical standards, can purchase non-accessible EIT.
- Must document market research and findings in contract file to justify decision.

Determining Exceptions

- Fundamental Alteration
- Undue Burden

NOTE: Even if exception applies agency must still provide alternative access.

Developing Solicitation

- Section C Statement of Work
- Section L Required Submissions
  - Must document Section 508 compliance
- Section M Evaluation Factors
  - Must demonstrate Section 508 compliance
- Section J Electronic and Information Technology Access Board Standards
  - Include applicable provisions

Developing Specifications

- The procurement should identify which section(s) of the technical standard(s) apply to the acquisition.
- Requirements must be listed in Part C; if they're not, you won't get what you want.
- If End-User Documentation is a deliverable, the Requiring Official will need to consider how that will be provided in alternative formats and how it will be priced.
- Specifications cannot require that the product or service be "vendor certified."

Developing Specifications

- Training on developing a Statement of Work (SOW): www.faionline.com
- Seven Steps for Performance-Based Services Acquisition Guide: http://oamweb.osec.doc.gov/pbsc/index.html

Other Resources

- www.section508.gov
  - Buy Accessible
  - Training
  - 508 Coordinators
  - Background information
- www.access-board.gov
  - Standards and guides to the standards
- www.itic.org
  - VPAT guidance for vendors.